

Message Text

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PAGE 01 MADRID 07700 080938Z
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-05 H-01 INR-10 L-03
NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11 DOE-15
SOE-02 ACDA-12 OMB-01 /096 W
-----063713 090356Z /12

R 080927Z JUL 78
FM AMEMBASSY MADRID
TO SECSTATE WASHDC 5244
INFO SECDEF WASHDC
CNO WASHDC
CINCUSNAVEUR LONDON ENG
COMSIXTHFLT NAPLES IT
USCINCEUR VAIHINGEN GER

C O N F I D E N T I A L MADRID 07700

E.O.11652: GDS
TAGS: MARR, MNUC, GI, SP
SUBJ: GIBRALTAR - SPANISH PROTEST US NPW VISIT

1. VIA NOTE VERBALE DATED JUNE 22, 1978, THE SPANISH FOREIGN MINISTRY HAS FOR THE FIRST TIME SINCE FEBRUARY 1977 PROTESTED A SPECIFIC US NPW VISIT TO GIBRALTAR. IN QUESTION IS THE JUNE 7-12 VISIT OF THE USS STURGEON (SSN-637). THE SUBSTANTIVE PORTION OF THE BRIEF SPANISH NOTE READS (IN INFORMAL TRANSLATION): "...THE MINISTRY OF FOREIGN AFFAIRS EXPRESSES ITS FIRMEST PROTEST TO THE EMBASSY, REITERATING THE LANGUAGE EXPRESSED IN NOTE VERBALE NO. 403 OF OCTOBER 5, 1976, WHICH DEALT WITH A SIMILAR CASE IN WHICH THE PERTINENT PROVISIONS OF THE TREATY OF FRIENDSHIP AND COOPERATION BETWEEN SPAIN AND THE UNITED STATES WERE NOT OBSERVED."

2. THE 1976 CASE RELATED TO AN OCTOBER 1-3 VISIT BY THE USS NIMITZ AND THE USS SOUTH CAROLINA. THE WRITTEN SPANISH PROTEST AT THAT TIME SUGGESTED THAT THE US HAD NOT

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ACTED IN ACCORDANCE WITH THE TREATY IN THAT THE SHIPS HAD ENTERED SPANISH WATERS WITHOUT SEEKING PERMISSION VIA THE CHANNELS ESTABLISHED BY THE AGREEMENT IN IMPLEMENTATION OF THE TREATY. ORALLY, A SENIOR SPANISH FOREIGN MINISTRY OFFICIAL ADDED THE ARGUMENT THAT THERE WAS AT LEAST ALSO A VIOLATION OF THE SPIRIT OF THE TREATY IN NOT PROVIDING ADVANCE NOTICE TO THE SPANISH AUTHORITIES SO THAT ENVIRON-

MENTAL PRECAUTIONS COULD BE TAKEN IN THE ALGECIRAS AREA.

3. THE EMBASSY'S NOTE IN REPLY STATED IN ITS SUBSTANTIVE PORTION: "THE EMBASSY HAS BEEN INSTRUCTED TO INFORM THE MINISTRY OF FOREIGN AFFAIRS THAT THE GOVERNMENT OF THE UNITED STATES OF AMERICA REGRETS THAT IT IS UNABLE TO ACCEPT THE VIEW THAT THE ACTIVITIES REFERRED TO IN THE MINISTRY'S NOTE ARE INCONSISTENT WITH, OR OTHERWISE AFFECT THE TREATY OF FRIENDSHIP AND COOPERATION WITH SPAIN." (SEE MADRID 76-7689, 7713, 7906; CINCUSNAVEUR 131431Z OCT STATE 76-254827.)

4. SUBSEQUENTLY, IN FEBRUARY 1977, THE GOS PROTESTED, BOTH BY NOTE AND ORALLY IN THE JOINT COMMITTEE FOR POLITICO-MILITARY ADMINISTRATIVE AFFAIRS (PMAA), THE FEBRUARY 19-24 VISIT OF THE USS BLUEFISH (SSN-675) TO GIBRALTAR. THE NOTE WAS DELIVERED TO THE EMBASSY BY MESSENGER, IN CONTRAST TO THE OCTOBER 1976 CASE, IN WHICH THE CHARGE WAS GIVEN THE NOTE BY THE UNDERSECRETARY OF FOREIGN AFFAIRS DURING A CALL ON ANOTHER MATTER. THE TEXT OF THE NOTE WAS ROUGHLY SIMILAR TO THAT USED IN 1976. IN THE PMAA DISCUSSION, THE EMBASSY DREW ON THE GUIDANCE PROVIDED IN OCTOBER 1976. IT WAS DECIDED TO RESPOND TO THE SPANISH NOTE VERBALE ONLY IF THE FOREIGN MINISTRY RAISED THE ISSUE FURTHER. THIS DID NOT HAPPEN.

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5. THE CURRENT NOTE AGAIN WAS DELIVERED BY MESSENGER. IT HAS NOT BEEN MENTIONED ORALLY TO US BY ANY GOS OFFICIAL. OUR ASSUMPTION THAT THE NOTE IS SUBMITTED FOR THE RECORD IS REINFORCED BY THE FACT THAT OTHER SIMILAR VISITS HAVE PASSED WITHOUT GOS COMMENT.

6. THE ISSUE STILL IS TIED IN SPANISH MINDS TO THAT OF NPW ACCESS TO SPANISH PORTS. IT REMAINS IN OUR INTEREST TO AVOID UNNECESSARY POLEMICS.

7. IN OUR VIEW, THE PREFERRED ALTERNATIVES THEREFORE ARE:
(A) A SIMPLE ACKNOWLEDGEMENT AND INDICATION THAT THE US VIEWS ON THIS MATTER WERE MADE KNOWN IN CONNECTION WITH THE OCTOBER 1976 CASE REFERRED TO IN THE MINISTRY'S NOTE; OR
(B) FOLLOWING THE APPROACH USED IN FEBRUARY 1977.

8. WE RECOMMEND ALTERNATIVE (A). REQUEST INSTRUCTIONS.
EATON

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: VISITS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MADRID07700
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780281-0669
Format: TEL
From: MADRID
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1978/newtext/t19780783/aaaacrrm.tel
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Litigation History:
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Office: ACTION EUR
Original Classification: CONFIDENTIAL
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Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
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Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
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Secure: OPEN
Status: NATIVE
Subject: GIBRALTAR - SPANISH PROTEST US NPW VISIT
TAGS: MARR, MNUC, GI, SP
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/0b3d6479-c288-dd11-92da-001cc4696bcc
Review Markings:
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